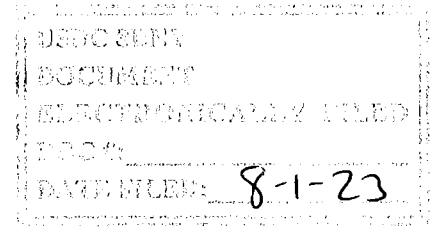


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



JAMELIA BARNETT AND MELISSA JOHNSON on
behalf of her minor child J.D.

Civil Action No.

7:20-CV-08695

Plaintiffs,

vs.

**INFANT'S COMPROMISE
ORDER**

POLICE OFFICER JOHN WILLIAMS AND
POLICE OFFICER KEVIN D. VANWAGNER
SHIELD #44

Defendants.

VINCENT L. BRICCETTI, United States District Judge:

Upon the reading and filing of the declaration of Melissa Johnson and the declaration of William O. Wagstaff III, Esq. and it appearing that the best interests of the infant will be served by settlement of the infant's action, plaintiff's guardian Melissa Johnson's application for permission to settle the case for her minor daughter J.D. is **GRANTED**.

ORDERED that, Melissa Johnson, as parent and natural guardian of J.D., an infant seventeen (17) years old, is hereby authorized and empowered to enter into a compromise of settlement of the infant's claim against defendants in the

amount of ONE HUNDRED FIFTY THOUSAND and 00/100 (\$150,000.00) dollars; and it is further

ORDERED that, the total sum of ONE HUNDRED FIFTY THOUSAND and 00/100 (\$150,000.00) dollars shall be paid by defendants and/or their insurer within the time period set forth in CPLR 5003-a as set forth herein; and it is further

ORDERED that, the sum of FIFTY ONE THOUSAND THREE HUNDRED TEN and 32/100 (\$51,310.32) dollars shall be paid to THE WAGSTAFF FIRM, P.C., as attorneys for the plaintiff herein as and for its fees inclusive of disbursements by defendant and/or their insurer; and it is further

ORDERED that, the balance thereof, in the sum of NINETY EIGHT THOUSAND SIX HUNDRED EIGHTY NINE and 68/100 (\$98,689.68) dollars shall be paid by defendant and/or their insurer to MELISSA JOHNSON, as parent and natural guardian of J.D., an infant seventeen (17) years old jointly to be held for the sole use and benefit of said infant, to be deposited in a bank in an insured high-yield, interest-bearing bank account in the name of said guardian jointly with an officer of the bank; and it is further

ORDERED that, no withdrawals shall be made from said account before the infant reaches the age of eighteen (18) years, except by further order of this Court; and it is further

ORDERED *that*, the date of the maturity of the account shall not be extended beyond the infant's eighteenth (18th) birthday, and shall be continuously renewed, and when no such account is available due to the infant's age, the accumulated funds shall then be placed in an insured, savings, interest-bearing account to be held until the infant reaches the age of eighteen (18) years and makes a demand for the monies; and it is further

ORDERED *that*, when the infant reaches the age of eighteen (18) years of age, the said depository is directed to pay over, without further order of this Court or any other proceedings, to said infant, upon demand and prior proof of age and identification, all of the monies in the aforesaid account; and it is further

ORDERED *that*, the attorney for plaintiffs shall serve a copy of this order upon said Bank and shall arrange for the deposit of said funds as expeditiously as is reasonably possible; and it is further

ORDERED *that*, within thirty (30) days of the deposit of said funds in the above-designated bank, a copy of proof of deposit shall be filed with the Court with all confidential personal information redacted, including the infant's full name and the account number, except for the last four digits; and it further

ORDERED *that*, conditioned upon compliance with the terms of this order, the parent and natural guardian of said infant is authorized and empowered to execute and deliver general releases and all other instruments necessary to effectuate the settlement herein; and it further

ORDERED *that*, the filing of a bond be dispensed with.

Dated: July 31, 2023
White Plains, NY

So Ordered

A handwritten signature in black ink, appearing to read 'Vincent Briccetti', written over a horizontal line.

Hon. Vincent L. Briccetti
August 1, 2023